



16085 U.S. PTO

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Attorney Docket **P0957R1C1**
PATENT

EV 182674137 US: Express Mail Number

April 16, 2004: Date of Deposit

22387 U.S. PTO
10/826797



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Robert B. Fick
Paula M. Jardieu
Monika B. Schoenhoff
Steven J. Shire**

Title: **Methods for Treatment of Allergic Asthma**

1. Type of Application

- [] This application is for an original, non-provisional application.
- [] This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- [X] This is a [] continuation-in-part [X] continuation of USSN 08/686,902 filed July 26, 1996, still pending, which claims priority to USSN 60/029,182 filed July 27, 1995.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

36 pages of specification
5 pages of claims
1 page(s) of abstract
7 sheet(s) of drawings
[X] formal [] informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
___ An executed declaration of the inventor(s) [] is enclosed [] will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
X A copy of the executed declaration/oath filed in the prior application is enclosed

(37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

— A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

— An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.

(for cont./div.)

X The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

X Cancel in this application original claims 21-39 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

X A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	20	- 20 =	0	X \$18.00	\$0.00
Independent Claims	3	- 3 =	0	X \$86.00	\$0.00
— Multiple dependent claim(s), if any				+ \$290.00	\$0.00
Filing Fee Calculation					\$770.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$.
A duplicate copy of this transmittal is enclosed.

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this transmittal is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

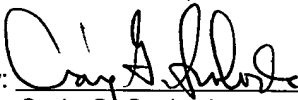
- X A petition, fee and/or response has been filed to extend the term in the pending prior application until April 21, 2004
- A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:

 X Address all future communications to:

Genentech, Inc.
1 DNA Way
South San Francisco, CA 94080-4990
Attn: Craig G. Svoboda
Customer No: 09157

Respectfully submitted,
GENENTECH, INC.

By: 
Craig G. Svoboda
Reg. No. 39,044
Telephone No. (650) 225-1489

Date: April 16, 2004

CUSTOMER NO: 09157

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Fick et al. Serial No.: not yet assigned Filed: herewith	Group Art Unit: 1644 Examiner: Ronald B. Schwadron Confirmation No: 5572 CUSTOMER NO: 09157
For: Methods for Treatment of Allergic Asthma	<u>EV 182674137 US</u> : Express Mail Number <u>April 16, 2004</u> : Date of Deposit

PETITION AND FEE FOR THREE MONTH EXTENSION OF TIME
(37 CFR 1.136(a))

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 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

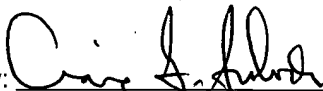
Sir:

Applicant petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated October 21, 2003 for three month(s) from January 21, 2004 to April 21, 2004. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$950.00 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

By: 
 Craig G. Svoboda
 Reg. No. 39,044
 Telephone No. (650) 225-1489

Date: April 16, 2004

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